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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/668,811	09/23/2000	Wyatt Price Hargett JR.	1700.80A	2650

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EXAMINER
POLLARD, STEVEN M

ART UNIT	PAPER NUMBER
3727	

DATE MAILED: 03/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

N.K.

Office Action Summary

Application No.	Applicant(s)
09/668,811	Hargett, Et. Al.
Examiner	**Art Unit**
Steven Pollard	3727

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 17-35 is/are pending in the application.

4a) Of the above, claim(s) 33-35 is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 17-32 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 6,10
4) ☐ Interview Summary (PTO-413) Paper No(s). _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other:

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless -
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 17 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Seguin, et. al..

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequin, et. al. To have employed a material of a fluorinated hydrocarbon composition would have been obvious to one of ordinary skill in the art, motivated by the intended use and desired material characteristics.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sequin, et. al. in view of Bennett, et. al.

It would have been obvious to one of ordinary skill in the art to have employed the strengthening sleeve teaching set forth in Bennett in the construction of the device of Sequin, et. al., motivated by the increased strength achieved thereby.

6. Claims 20 - 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sequin, et. al. in view of Hughes.

It would have been obvious to one of ordinary skill in the art to have employed the frame teaching set forth in Hughes in the construction of the device of Sequin, et. al., motivated by the intended use. To have employed a threaded tightening mechanism in place of the pin and ramp in the above set forth device would have been an obvious substitution of equivalents, producing no new and unobvious results.

7. Claims 23 - 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squin, et. al. in view of Bennett and Hughs.

It would have been obvious to one of ordinary skill in the art to have employed the strengthening sleeve teaching set forth in Bennett and in the construction of the device of Sequin, et. al., motivated by the increased strength achieved thereby. the frame teaching set forth in Hughes in the construction of the device of Sequin, et. al., motivated by the intended use. To have employed a threaded tightening mechanism in place of the pin and ramp in the above set forth device would have been an obvious substitution of equivalents, producing no new and unobvious results.To have employed a material of a fluorinated hydrocarbon composition would have been obvious to one of ordinary skill in the art, motivated by the intended use and desired material characteristics. The particular choice of materials would have been an obvious matter of engineering design choice, motivated by the desired material characteristics. The employment of a frame capable of

flexing to allow the cap to release pressure would have been obvious in the construction of the above set forth device, motivated by the intended use.

8. The reference to Pflederer has been cited to further show related structure.

Steven M. Pollard

20 March 2003

Steven M. Pollard

Steven Pollard
Primary Examiner